



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAY 19 2011

REPLY TO THE ATTENTION OF:

E-19J

David T. Williams
Environmental Program Manager
Federal Highway Administration
315 West Allegan Street, Room 207
Lansing, Michigan 48933

**Re: Comments on the April 2011 Final Environmental Impact Statement
for MDOT M-15 Reconstruction from I-75 to I-69, CEQ# 20110113**

Dear Mr. Williams:

In accordance with Section 309 of the Clean Air Act and the National Environmental Policy Act (NEPA), the U.S. Environmental Protection Agency (EPA) has reviewed the proposed Final Environmental Impact Statement (FEIS) for M-15 reconstruction from I-75 to I-69 in Oakland and Genesee Counties, Michigan. The project proposes to increase vehicle capacity for this state highway link, improve safety and accommodate community developments.

EPA has participated in this project development including early scoping, a site visit and our Draft EIS comment letter on August 24, 2002.

We appreciate the FEIS addressed many of our earlier concerns. These include providing additional information on impacts to wetlands, surface water and groundwater wells; expanding the cumulative impacts analysis; and clarifying wetland mitigation acreage.

The FEIS designated the No-Build Alternative with Transportation System Management (TSM) improvements as the preferred alternative. We recommend the ROD clarify how the Technically and Environmentally Preferred Alternative (TEPA) considerations in this FEIS relate to future NEPA documents.

Although the mussel survey results and further species characterizations were provided in the FEIS, the Record of Decision (ROD) or future NEPA documents should clarify the specific mitigation measures to be taken to avoid impacting the water quality in these species' habitats.

EPA remains concerned for the Sector D Alternative impacts to Duck Creek. The FEIS expands the discussion on why the five-lane alternative or other narrow right-of-way options were not chosen for the TEPA. We commend the Context Sensitive Solution considerations given to aesthetics, pedestrian and bicycle traffic, and school zone traffic. However, buses and trucks

were not mentioned, and should be discussed in the functioning of this sector alternative. Ongoing discussions with local community planners offer the opportunity to better address the design for this sector's alternative. We recommend that FHWA / MDOT consider widening the boulevard here and completely relocating Duck Creek to the center median where perhaps the creek can be more fully restored to a natural habitat with riffles, runs, bank enhancements and protections, and the accompanying aesthetics benefits. The FEIS implies that the creek was significantly degraded to a "roadside ditch" when the current roadway was constructed. Future work on this sector provides the opportunity to significantly restore the beauty and functions of the creek. Appropriate stormwater runoff management would need to be designed into the system to avoid direct discharge into the creek.

We appreciate the opportunity to participate in this project development. If you have any questions, or wish to discuss our comments further, please contact me or Norm West of my staff at (312)-353-5692 or at west.norman@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth A. Westlake", written in a cursive style.

Kenneth A. Westlake
Chief, NEPA Implementation Section
Office of Enforcement and Compliance Assurance

Cc: David Wresinski, Division Administrator
Project Planning Division
Michigan Department of Transportation
P.O. Box 30050
Lansing, Michigan 48909